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Attorneys for Plaintiff Izor and all others similarly situated

(Additional counsel appearing on signature page)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

)
PAUL IZOR, individually and on behalf of all) Case No. 4:19-cv-01057-HSG
 others similarly situated,)
)
Plaintiff,)
)
 v.) **STIPULATION AND [PROPOSED]**
) **ORDER OF FINAL JUDGMENT**
)
ABACUS DATA SYSTEMS, INC.,)
)
Defendant.)
)
)
)

The Court having granted final approval to the Settlement Agreement, Plaintiff Paul Izor and Defendant Abacus Data Systems, Inc. hereby stipulate to and request that the Court enter Final Judgment as follows:

1. Immediately upon entry of this Final Judgment by the Clerk, this action shall be closed according to the Court's standard practices.

2. The Settlement Agreement is approved as fair, reasonable, and adequate as to, and in the best interests of, Settlement Class Members; the Parties and their counsel are directed to implement and consummate the Agreement according to its terms and provisions; and the Agreement is declared to be binding on, and have preclusive effect on all pending and future

1 lawsuits or other proceedings maintained by or on behalf of Representative Plaintiff and the
2 Releasing Parties.

3 3. The Parties are hereby directed to take all actions required under the terms and
4 provisions of the Settlement Agreement.

5 4. To the extent permitted by law and without affecting the other provisions of this
6 Final Judgment, this Final Judgment is intended by the Parties and the Court to be *res judicata*,
7 and to prohibit and preclude any prior, concurrent or subsequent litigation brought individually, or
8 in the name of, and/or otherwise on behalf of the Settlement Class Members with respect to any
9 and all claims, rights, demands, actions, causes of action, suits, debts, liens, contracts, liabilities,
10 agreements, costs, expenses or losses arising out of or relating to the claims released under the
11 Settlement Agreement.
12

13 5. All persons who are Settlement Class Members are bound by this Final Judgment
14 and are enjoined from instituting, maintaining, prosecuting, or enforcing, either directly or
15 indirectly, any claims discharged by the Settlement Agreement.
16

17 6. The Court shall retain continuing jurisdiction over this action as to the following
18 matters: (i) enforcement of the terms of the Settlement Agreement; (ii) issues relating to
19 settlement administration; and (iii) enforcement of this Judgment, the Final Approval Order, and
20 any order relating to attorneys' fees or class representative award.
21

22 7. This Action (including all individual claims and Settlement Class Member claims
23 asserted therein) is hereby dismissed on the merits and with prejudice, without fees or costs to any
24 Party, except as provided in the Settlement Agreement. No just reason exists for delay in entering
25 this Final Judgment.

26 So Stipulated.
27
28

Respectfully submitted,

Dated: January 8, 2021

/s/ Rachel E. Kaufman

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Class Counsel

Dated: January 8, 2021

/s/ Esteban Morales

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Counsel for Defendant Abacus Data Systems, Inc.

ECF ATTESTATION

I, Rachel E. Kaufman, attest that concurrence in the filing of this Stipulation has been obtained from the signatories above, counsel for Defendant. *See* L.R. 5-1(i)(3).

Dated: January 8, 2021

By: s/ Rachel E. Kaufman

STIPULATED AND PROPOSED
FINAL JUDGMENT ORDER
CASE NO. 4:19-CV-01057-HSG